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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,473

02/17/2004

Carel J.L. Van Driel

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

JAIN, RAJ K

ART UNIT

PAPER NUMBER

2416

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/780,473	Applicant(s) VAN DRIEL, CAREL J.L.	
	Examiner RAJ JAIN	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 17 is objected to because of the following informalities: The claim does not further limit the independent claim 11, it merely recites the same limitation as found in claim 11 with change in terminologies. Suggest deleting the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 recites the limitation " (a) the predetermined transmission properties.....for transmitting the associated packets".

Claim 15 recites the limitation "for transmitting the associated packets".

There is insufficient antecedent basis for these limitations in the claims.

Furthermore Claims 11, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The subject claims are vague and ambiguous, Examiner is not able to discern what is being accomplished, for example in claim 11 (here in part) "...a first address translator for translating initial **address information** related to said communication network carried by packets received from at least one terminal device into **transmission address information** carrying information about: (a) *the predetermined transmission properties to be used in said separate transmission network for transmitting the associated packets, and (b) a destination node; and a transmitter for transmitting said packets and said transmission address information to the primary node, and at the primary node, a second address translator for translating the transmission address information back into the initial address information...*"

First off, there is no distinction in the specifications between "address information" and "transmission address information" and therefore makes no sense in

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the context of the claim. Secondly parts "a" and "b" are not comprehensible, Examiner is unable to figure out what is being accomplished, it appears to be no more than a simple address translation from one node to another and vice versa, Examiner requires further clarification/explanation as appropriate.

Similarly claims 15 and 16 have the same features as claim 11 and thus require further clarification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 13 and 15-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Lancelot et al (US 6026086 A) in view of Manning et al (US 5917805 A).

Regarding claim(s) 11, 15 and 16, Lancelot discloses a communication network (Fig. 1) including a plurality of secondary nodes 110 coupled to at least one primary node 105 via a separate transmission network (transmission network is packet or circuit switched systems col 1 lines 15-52), said communication network comprising:

at each of said secondary nodes 110 (Figs. 1 & 5), a first address translator 405 for translating initial address information related to said communication network carried by packets received from at least one terminal device (end user device attached to nodes 110) into transmission address information carrying information about:

(a) the predetermined transmission properties to be used in said separate transmission network for transmitting the associated packets, and (b) a destination node (col 9 line 29 – col 10 line 6; CACs layer 3 messaging provides for predetermined transmission properties such as type of network protocol and data rates); and

a transmitter for transmitting said packets and said transmission address information to the primary node (Fig. 1, both primary and secondary nodes act as transmitters), and at the primary node, a second address translator for translating the

transmission address information back into the initial address information (Fig. 1 & 6; col 11 lines 27-30, primary station 105 translates the address back to the secondary node addresses).

Lancelot fails to disclose a cross connect for passing packets from the secondary nodes to said separate transmission network, wherein the first address translator is arranged for translating the address information before the packets are applied to the cross connect.

Manning discloses a cross connect for passing packets from the secondary nodes to said separate transmission network, wherein the first address translator is arranged for translating the address information before the packets are applied to the cross connect (Fig. 1, translators 24, 40 are outside or before the cross connect 30).

Providing address translation prior to providing packets to the cross connect reduces buffering requirements and delay at the cross connect and therefore improving overall network efficiency.

Thus it would have been obvious at the time the invention was made to incorporate the teachings of Manning within Lancelot so as to enhance overall network performance by reducing cross connect processing of address translation.

Regarding claim(s) 12, Lancelot discloses a selector for selecting packets according to address information in their headers (Fig..

Regarding claim(s) 13 & 17, Lancelot discloses wherein the primary node comprises the second address translator (Fig. 1 & 6; col 11 lines 27-30, primary station 105 contains the second address translator 518).

Regarding claim 18, Lancelot discloses wherein the predetermined transmission properties to be used for transmitting the associated packets include a quality of service (col 5 lines 19-32).

Claim 12, is rejected under 35 U.S.C. 103(a) as being unpatentable over Lancelot et al (US 6026086 A) in view of Manning et al (US 5917805 A) and further in view of Aramaki (USP 5,483,521).

Lancelot and Manning fail to disclose a selector for selecting packets according to address information in their headers.

Aramaki discloses a selector 105b (Fig. 1) for selecting packets according to address information in their headers (col 5 lines 15-26). Transmitting packets to destinations based on their header information allows for cell sequencing without necessary time stamping of packets. Thus it would have been obvious at the time the invention was made to incorporate the teachings of Aramaki within Lancelot so as to improve network performance by grouping packets based on their header information so as to allow for quick reassembly without the need to for time stamping of packets.

Response to Arguments

Applicant's arguments with respect to claims 11-13 and 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Examiner withdraws the 35 USC 101 rejections to claim 16 per Applicants amendments.

Examiner presents new grounds of rejections for claims 11-13 and 15-18 due to Applicants amendments changing the scope of the claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAJ JAIN whose telephone number is (571)272-3145. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raj K. Jain/

Examiner, Art Unit 2416

/William Trost/

Supervisory Patent Examiner, Art Unit 2416